

AN ACT

ENTITLED, An Act to create the South Dakota Boxing Commission and to provide for the supervision of boxing, kickboxing, and mixed martial arts competitions and sparring exhibitions in the state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. There is hereby created the South Dakota Boxing Commission consisting of five members appointed by the Governor. Not all of the members may be of the same political party. The initial members to be appointed shall draw lots to determine who will hold the two three-year terms, the two two-year terms, and the one one-year term. Thereafter, each member shall serve terms of three years, but no member may serve more than three consecutive terms.

Section 2. The commission shall supervise all boxing, kickboxing, and mixed martial arts competitions and sparring exhibitions held in the state and shall promulgate rules pursuant to chapter 1-26 to:

- (1) Govern the conduct of boxing, kickboxing, and mixed martial arts competitions, and sparring exhibitions;
- (2) Establish license fees for all boxers, kickboxers, mixed martial artists, boxing, kickboxing, and mixed martial arts promoters, managers, judges, timekeepers, cornerpersons, knockdown counters, matchmakers, and referees or other participants; and
- (3) Establish a fee based on the percentage of gross revenues from any boxing, kickboxing, or mixed martial arts competition or sparring exhibition held in the state to pay for the expenses of the South Dakota Boxing Commission. However, no fee established pursuant to this subdivision may exceed five percent of the gross revenues of the competition or exhibition from any and all sources including cable television and pay-per-view telecasts of the event, exclusive of any federal tax thereon. If the expenses of the South Dakota

Boxing Commission exceed the fees collected pursuant to this Act, the members of the commission are personally liable to cover the expenses.

Section 3. All fees collected pursuant to this Act shall be placed in the boxing commission fund that is hereby established in the state treasury. All money deposited in the fund is continuously appropriated to pay for the administration of this Act and for the expenses of members of the South Dakota Boxing Commission.

Section 4. Boxing, kickboxing, or mixed martial arts competitions or sparring exhibitions held in any city in this state shall be held in conformity to the ordinances of that city, in addition to the requirements of this Act. No boxing, kickboxing, or mixed martial arts competition or sparring exhibition may be held in a city where such contests or exhibitions are prohibited by ordinance.

Section 5. All boxing, kickboxing, or mixed martial arts or sparring exhibitions conducted by bona fide educational institutions or by national amateur boxing, kickboxing, or mixed martial arts associations or their local affiliates are exempt from this Act.

Section 6. No person may arrange, promote, organize, produce, or fight in a professional boxing match, professional mixed martial arts match, or other professional form of mutual physical combat unless the match is supervised by the commission or by a regulatory commission of another state in cooperation with this state or is conducted in compliance with 15 U.S.C. 6301 to 15 U.S.C. 6313, inclusive, as amended and in effect on January 1, 2009. A violation of this section is a Class 1 misdemeanor.

Section 7. The provisions of § 4-8-14 do not apply to the South Dakota Boxing Commission.

Section 8. This Act is repealed on July 1, 2012.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1239

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1239
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State